

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

THEODORE TINSLEY,

:

Plaintiff

:

CIVIL ACTION NO. 3:16-2505

v.

:

(JUDGE MANNION)

KEVIN BITTENBENDER,

:

Defendant

:

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**

HEREBY ORDERED THAT:

1. Plaintiff's complaint (Doc. [1](#)) is **DISMISSED** without prejudice pursuant to [28 U.S.C. §1915A\(b\)\(1\)](#).
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: January 31, 2017

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